REMARKS

As a preliminary matter, Applicants' representative would like to thank the Examiner for courtesies extended in the personal interview conducted on August 4, 2004. An Examiner's Interview Summary Record (PTOL-413) was mailed August 6, 2004. Applicants submit this Statement to comply with the requirements of M.P.E.P. § 713.04.

In the interview, the following was discussed:

A. Identification of claims discussed:

Claims 1-3 and 5-36.

B. Identification of prior art discussed:

U.S. Patent No. 6,446,210 to Borza.

C. Identification of principal proposed amendments:

None.

D. Brief Identification of principal arguments:

Applicants' representative discussed the claimed invention and the cited references.

Applicants representative also discussed the Amendment under 37 C.F.R. § 1.111 filed on June 18, 2004, in the above application, which Applicants believe should overcome the applied references.

E. Results of the Interview:

I. The Examiner maintained that "*the prior art discloses comparing encrypted biometric data*" (e.g., see Interview Summary mailed August 6, 2004).

Applicants respectfully disagreed with the Examiner's position for the reasons set forth in the Amendment under 37 C.F.R. § 1.111 filed on June 18, 2004.

II. The Examiner also took the position that "*the claim does not disclose the function used or any details with regards (sic) to encrypting the biometric sample*" (e.g., see Interview Summary mailed August 6, 2004).

Applicants' representative respectfully disagreed with the Examiner's position.

Particularly, in response to the Examiner's position, Applicants' representative noted, for example, that independent claim 27 recites "means for encrypting each said at least one data set acquired to form at least one encrypted data set" (emphasis added).

Applicants' representative also noted that independent claim 24 recites means-plus-function language.

F. Conclusion:

For the reasons set forth in the Amendment under 37 C.F.R. § 1.111 filed on June 18, 2004, the Examiner is respectfully requested to withdraw the prior art rejections and pass the above application to issue at the earliest possible time.

It is believed that no petition or fee is required. However, if the USPTO deems otherwise, the Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Assignee's Deposit Account No. 50-0510.

Respectfully Submitted,

Date: September 7, 2004

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CERTIFICATE OF TRANSMISSION

I certify that I transmitted via facsimile to (703) 872-9306 the enclosed Statement of Substance of Interview to Examiner Christian A. La Forgia on September 7, 2004.

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